



13 MAR 2003
UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of :
ULRICHSEN, Borre, Bengt, et al. :
U.S. Application No.: 09/936,924 :
PCT No.: PCT/IB00/00301 :
International Filing Date: 20 March 2000 :
Priority Date: 19 March 1999 :
Attorney's Docket No.: 0279.3014.001 :
For: INSPECTION OF MATTER :

DECISION ON
RENEWED PETITION

In a decision mailed on 03 September 2002, this Office dismissed applicants' petition under 37 CFR 1.181 seeking to confirm the 13 December 2001 filing of a response to the Notification Of Missing Requirements mailed 01 November 2001. The decision stated that the evidence presented did not support a conclusion that the materials in question had been filed on 13 December 2001.

On 23 September 2002, applicants filed the "Renewed Petition Under 37 CFR 1.181" considered herein. The submission included a copy of a docket log that purportedly confirms the mailing of the response on 13 December 2001. This new evidence has been carefully considered; however, it is again concluded that the submitted evidence does not support a finding that the attached materials were filed on 13 December 2001. Applicants have not presented any evidence that the 13 December 2001 submission was made pursuant to the certification requirements of 37 CFR 1.8 or pursuant to the "Express Mail" procedures set forth in 37 CFR 1.10. Under these circumstances, the evidence presented is insufficient to support the conclusion that the response to the Notification Of Missing Requirements was properly filed with the USPTO on 13 December 2001.

Applicants' renewed petition under 37 CFR 1.181 is **DISMISSED** without prejudice.

This application remains **ABANDONED** for failure to file a timely response to the Notification Of Missing Requirements mailed 01 November 2001.

If reconsideration on the merits of this petition is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Second Renewed Petition Under 37 CFR 1.181" and should include adequate evidence that the materials attached to the present petition were originally filed on 13 December 2001.

It is again suggested that applicants consider filing a petition to revive the application under 37 CFR 1.137(b).

Please direct further correspondence with respect to this matter to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, and address the contents of the letter to the attention of the International Division, Legal Staff.



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